




**DEBRA BOWEN | SECRETARY OF STATE**  
**STATE OF CALIFORNIA | ELECTIONS**

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October 11, 2007

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROPONENT  
(07172)

FROM:

  
KATHERINE MONTGOMERY  
Elections Analyst

SUBJECT: **INITIATIVE #1282**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**PRESIDENTIAL ELECTORS. ALLOCATION BY NATIONAL  
POPULAR VOTE. INTERSTATE AGREEMENT.  
STATUTE.**

The proponent of the above-named measure is:

Tom Steyer  
c/o Barry Fadem  
Fadem & Associates  
3527 Mt. Diablo Blvd., #192  
Lafayette, CA 94549

INITIATIVE #1282

Circulating and Filing Schedule continued:

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 03/29/08, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elec. Code §§ 9030(f)(g), 9031(a)) ..... Thursday, 05/22/08\*

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c)). ..... Monday, 07/07/08

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 05/22/08, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033) ..... Friday, 07/11/08\*

\*Date varies based on the date of county receipt.

EDMUND G. BROWN JR.  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

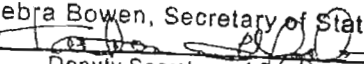
Public: (916) 445-9555  
Telephone: (916) 445-1968  
Facsimile: (916) 324-8835  
E-Mail: Toni.Melton@doj.ca.gov

October 11, 2007

FILED  
In the office of the Secretary of State  
of the State of California

Debra Bowen  
Secretary of State  
1500 - 11<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sacramento, CA 95814

OCT 11 2007

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

RE: Title and Summary for Initiative No. 07-0049  
TITLE: PRESIDENTIAL ELECTORS. ALLOCATION BY NATIONAL POPULAR  
VOTE. INTERSTATE AGREEMENT. STATUTE.

Dear Ms. Bowen:

Pursuant to the provisions in sections 336 and 9004 of the Elections Code, enclosed please find a copy of the Title and Summary issued for Initiative Number 07-0049 and text of the proposed measure.

Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,



TONI MELTON  
Initiative Secretary

For EDMUND G. BROWN JR.  
Attorney General

Enclosures

Proponent's public information:

Tom Steyer  
c/o Barry Fadem  
Fadem & Associates  
3527 Mt. Diablo Blvd., #192  
Lafayette, CA 94549

August 20, 2007

RECEIVED

AUG 21 2007

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Ms. Patricia Galvan  
Initiative Coordinator  
Attorney General's Office  
1300 I Street  
Sacramento, CA 95814

Re: The National Popular Vote for President Act—Version 2

Dear Ms. Galvan:

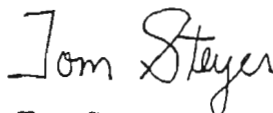
Pursuant to California Elections Code section 9002, I respectfully request that the Attorney General prepare a title and summary for the attached measure. The text of the measure, a check for \$200.00 and the address at which I am registered to vote are enclosed.

Also attached is the acknowledgment of the proponent required by section 9608 of the California Elections Code.

Please direct all correspondence and inquiries regarding this measure to my attorney:

Barry Fadem  
Fadem & Associates  
3527 Mt. Diablo Blvd., #192  
Lafayette, CA 94549

Sincerely,



Tom Steyer

Enclosures

Article 1. Membership

Any State of the United States and the District of Columbia may become a member of this agreement by enacting this agreement.

Article 2. Right of the People in Member States to Vote for President and Vice President

Each member state shall conduct a statewide popular election for President and Vice President of the United States.

Article 3. Manner of Appointing Presidential Electors in Member States

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each State of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a "national popular vote total" for each presidential slate.

The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the "national popular vote winner."

The presidential elector certifying official of each member state shall certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner.

At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within 24 hours to the chief election official of each other member state.

The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress.

In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official's own state.

If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the appointment of such nominees.

The chief election official of each member state shall immediately release to the public all vote counts or statements of votes as they are determined or obtained.

Sec. 6922 Notwithstanding any other provision of law, the appointment of presidential electors shall be conducted in accordance with the provisions of the Agreement Among the States to Elect the President by National Popular Vote as set forth in Section 6921 in any year in which the Agreement governs the appointment of presidential electors pursuant to clause 9 of Article 3 of that Agreement.

**SECTION 4.** Section 6909 of the Elections Code is repealed.

~~Sec. 6909 Each presidential elector shall receive ten dollars (\$10) for his or her services, and mileage at the rate of five cents (\$0.05) per mile for each mile of travel from his or her domicile to the State Capitol and return. Their accounts therefor shall be certified by the Secretary of State, and audited by the Controllor, who shall draw his or her warrants for the same on the Treasurer, payable out of the General Fund.~~

**SECTION 5.** Section 15505 of the Elections Code is amended to read:

Sec. 15505 On the first Monday in the month following the election, or as soon as the results have been received from all the counties in the state, if received before that time, the Secretary of State shall analyze the votes given for presidential electors, and certify to the Governor the names of the proper number of persons having the highest number of votes. The Secretary of State shall thereupon issue and transmit to each presidential elector a certificate of election. The certificate shall be accompanied by a notice of the time and place of the meeting of the presidential electors, ~~and a statement that each presidential elector will be entitled to a per diem allowance and mileage in the amounts specified.~~

**SECTION 6. Conflicting Measures.**

This measure is intended to be a comprehensive regulatory scheme concerning the appointment of presidential electors. Therefore, in the event that this measure and another initiative measure or measures concerning the appointment of presidential electors shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than such conflicting initiative measure or measures, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

**SECTION 7. Severability.**

If any provision of this Act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this Act are severable.